

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64948 of 2018

Arising Out of PS. Case No.-55 Year-2017 Thana- SIKARHATTA District- Bhojpur

Ram Sakal Rai, son of late Chandeshwar Rai, Resident of Village-Bagar, P.S. Sikarhatta, Distt. Bhojpur (Ex-Principal Middle School, Kurmuri P.S.- Sikarahatta, Distt.-Bhojpur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Sikarhatta P.S. Case No.55 of 2017 registered for the offence punishable under Sections 409 and 420 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that from a plain reading of the first information report, it would be manifest that nothing specific has been alleged against the petitioner in order to constitute an offence punishable under Section 409 and 420 of the Indian Penal Code against him. The allegations made in the written report are vague and cryptic. That apart, one of the co-accused, who was President of Committee and Mukhiya of the Panchayat has



already been allowed pre-arrest bail by a Bench of this Court vide order dated 08.12.2017 passed in Cr. Misc. No.57524 of 2017. The case of the petitioner stands on better footing than that of co-accused who have already been granted bail by a Bench of this Court.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the submissions made by the parties, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhojpur, Ara in connection with Sikarhatta P.S. Case No.55 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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